

1 Adopt 2 Cal. Code of Regs. Section 18539.2:

2 **18539.2. Reporting Payments Pursuant to Government Code section 85310.**

3 (a) Reports filed under Government Code section 85310 are not required to be
4 filed on paper. A report filed online or electronically pursuant to this section must
5 contain the following information:

6 (1) The name and address of the person making a payment or a promise of
7 payment totaling \$50,000 or more for a communication described in Government Code
8 section 85310, subdivision (a);

9 (2) If the person making a payment or a promise of payment is an individual, his
10 or her occupation and employer;

11 (3) The amount(s) of the payment(s) or promise of payment;

12 (4) If the person making a payment or a promise of payment is a committee under
13 Government Code section 82013, subdivision (a), the identification number issued to the
14 committee by the Secretary of State;

15 (5) The date(s) of the payment(s) or promise of payment;

16 (6) The name(s) of and office(s) sought or held by the candidate(s) identified in
17 the communication;

18 (7) Identification of amended information; and

19 **(b) [The Secretary of State will provide a mechanism for the filer to**
20 **acknowledge his or her execution of a written declaration verifying the online or**
21 **electronically filed report in accordance with subdivision (e) of this regulation.]**

22 (c) If the person making a payment or a promise of payment has received a
23 payment or promise of payment totaling \$5,000 or more from any other person(s) for the

1 purpose of making the communication, the report must also contain the following
2 information:

3 (1) The name and address of the person from whom a payment or promise of
4 payment was received;

5 (2) If the person making a payment or a promise of payment is an individual,
6 his or her occupation and employer;

7 (3) The date(s) of the payment(s) or a promise of payment;

8 (4) The amount(s) of the payment(s) or promise of payment; and

9 (5) If the person making a payment or a promise of payment is a committee
10 under Government Code section 82013, subdivision (a), the identification number
11 issued to the committee by the Secretary of State.

12 (d) To meet the requirements for verification under this title, a report required
13 to be filed under Government Code section 85310 must contain or be verified by a
14 written electronic filing declaration signed and verified in accordance with Government
15 Code section 81004.

16 (e) The original declaration must:

17 (1) Include the statement, "I have used all reasonable diligence in preparing
18 this report and to the best of my knowledge the information contained herein is true and
19 complete. I certify under penalty of perjury under the laws of the State of California that
20 the foregoing is true and correct.";

21 (2) [Be signed, dated and verified after the report has been prepared but
22 before it is transmitted to the Secretary of State;] and

(3) Be retained in the filer's records for [four years / five years]. The declaration must be furnished to an enforcement or auditing agency upon request.

[(f) An electronically transmitted report will be considered complete and filed if the conditions in subdivision (e) of this regulation are met, and the electronic filing declaration is signed pursuant to Government Code section 81004 (before the electronic report is transmitted to the Secretary of State).]

NOTE: Authority cited: Section 83112, Government Code.

Reference: Sections 81004, 83112 and 85310, Government Code.

FINDING OF EMERGENCY

The Fair Political Practices Commission finds that an emergency exists and that the foregoing regulation is necessary for the immediate preservation of the public peace, health, safety or general welfare. A statement of the facts constituting such emergency is:

STATEMENT OF FACTS

On November 7, 2000, the voters approved Proposition 34, which makes significant additions and amendments to the Political Reform Act (Government Code sections 81000 et seq.). The statutory changes affect the conduct of the political process at the state and local level and also similarly affect the exercise of political rights by individuals, parties and organizations. Clarification and orderly implementation of these statutory changes by the Commission in emergency regulations are necessary to minimize disruption of the political process.